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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re DNAinfo

16-mc-332 (SHS)

ORDER

SIDNEY H. STEIN, U.S.D.J.

Applicant DNAinfo, an online news publication, has requested that this Court, sitting in Part I, "unseal the docket, docket entries, transcripts, and other court documents" concerning a possible criminal proceeding against Jona Rechnitz that DNAinfo suspects exists and is currently under seal in this district. [Dkt. No. 1] The Clerk of Court is hereby directed to send a copy of that application to the United States Attorney's Office for the Southern District of New York (the "USAO") on or before November 15. The USAO shall serve and file its response to the application on or before November 23. On the same date, the USAO shall submit to this Court an *ex parte* letter, under seal, informing the Court whether the records sought in the application exist and are in fact under seal and, if so, the basis for keeping such records under seal in light of the common law and First Amendment right of public access to judicial documents and the corresponding presumption of public access. *See Lugosh v. Pyramid Co. of Onondaga*, 435 F.3d 110, 124 (2d Cir. 2006). That letter should also address DNAinfo's contention that widespread media coverage has undermined any compelling interest in keeping any records that exist under seal. DNAinfo shall file any reply within five days after the USAO's response.

Dated: New York, New York
November 14, 2016

SO ORDERED:

Sidney H. Stein, U.S.D.J.
Part I